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SUBJECT: JORDAN: HONOR CRIME TRIBUNAL SETS NEW PRECEDENT:
KING APPOINTS REFORMIST AS CHIEF JUSTICE

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Classified By: Deputy Chief of Mission Lawrence Mandel for reasons 1.4 (b) and (d).

I1. (C) Summary: On October 12, Jordan's newly formed honor crimes tribunal issued a 15-year sentence in its first verdict. This is the first time a lower court has issued a full 15-year murder sentence in an honor crime case without reducing the sentence for "mitigating circumstances." Only a year ago, six month sentences were the norm as judges often used a "fit of fury" article in the penal code. More recently, judges had refrained from using "enraged emotions" to give extremely lenient sentences but halved the murder sentence to seven-and-a-half years when the victim's family does not press charges (as allowed under another penal code article). Post has strongly pressed at all levels of government and within the judiciary the need to correctly apply penal code articles in honor crime cases and will continue to press for further reform, including legislative changes. A day after the tribunal's ruling, the King appointed an experienced and reform-minded judicial expert as the new Chief Justice. With two reformers holding the two senior judicial positions, Minister of Justice and Chief Justice, contacts are optimistic for even greater reform of the judiciary, including further improvements in the investigation, prosecution, and sentencing of human rights-related cases. End Summary.

I2. (SBU) Jordan's new honor crime tribunal established a new judicial precedent with its first verdict. The tribunal issued a 15-year sentence to a 21-year-old man who was convicted of stabbing and killing his married sister in the Jordan River Valley in 2008 because she allegedly slept with another man. While judges have refrained from utilizing the "fit of fury" article in the last six cases, sentences were, until recently, halved from 15 years to seven-and-a-half years because the family refused to press charges. (Note: The penal code gives judges the authority, but does not obligate them, to reduce charges up to half of the original sentence if the victim's family does not press charges. End Note) In this case, the tribunal reportedly did not take into account such a reduction as they felt reductions should not be given when the perpetrator and victim come from the same family.

I3. (SBU) Activists inside and outside the judiciary have been

waiting for the tribunal's first ruling to gauge its potential impact since it was announced in July (ref C). They are hailing the tribunal's creation and now its first ruling as a significant step forward in ensuring proper investigation, prosecution, and sentencing of such crimes. However, non-governmental activists and reformers in the judiciary agree that more needs to be done and they intend to keep the combating of violence against women and honor crimes as a top priority. Measures being discussed, include the formation of a similar tribunal at the appellate level, further training of judges and prosecutors on violence against women, passage of penal code amendments to strengthen sentencing guidelines, and enhancing the national and community-level dialogue, especially among the youth, on these issues. Additionally, most Jordanians, including parliamentarians and government officials, remain unaware that an honor crime tribunal exists.

¶4. (SBU) News of the tribunal's decision broke on the same day that the King appointed Rateb Wazani as the new Chief Justice of the Higher Judicial Council. Post will report septel on the significance of the change in the Judicial Council's leadership but Wazani is viewed as a reform-minded individual with vast experience in the judiciary, including as a former Minister of Justice. Wazani has also been involved with several women's rights initiatives. (Note: The judicial council, in effect, sits at the top of Jordan's judicial system and, among other responsibilities, appoints and assigns judges and prosecutors. End Note) The fact that the Ministry of Justice and Judicial Council are now led by two reformers and the fact that the King's statement announcing Wazani's appointment stressed that the

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modernization of the judiciary remains a top priority has generated even greater optimism for judicial reform and improved handling of honor crime, domestic violence, child abuse, and other human rights-related cases.

¶5. (C) Comment: There has been a marked improvement in the judiciary's use of existing law to try honor crimes cases. Only a year ago, six-month sentences were the norm and not the exception because judges often felt that the perpetrator was too enraged by the behavior of the woman to control his actions. Post has long discussed with GOJ officials at all levels the misuse of the "fit of fury" article in such cases.

Starting in early 2009, seven-and-a-half year sentences became the norm after judges stopped using the "fit of fury" article but still would cut sentences in half because the victim's family would not press charges. Post has also focused on the reduction of charges when the perpetrator and victim are from the same family. The October 12 sentence was a milestone and a victory for the long-time efforts of local activists, the work of reformers in the judiciary, and U.S.-Jordanian dialogue on human rights issues. Work remains, especially to change attitudes regarding honor crimes and towards women's rights. While one case does not specifically establish a major shift in judicial thinking, optimism became the norm among advocates of reform for at least one day. End Comment.

Beecroft